

#### **IC 9-22-4**

##### **Chapter 4. Licensing of Vehicle Salvaging**

#### **IC 9-22-4-1**

##### **Necessity of license**

Sec. 1. A disposal facility, a used parts dealer, or an automotive salvage rebuilder must be licensed by the bureau under this chapter before the facility, dealer, or rebuilder may do any of the following:

- (1) Sell a used major component part of a vehicle.
- (2) Wreck or dismantle a vehicle for resale of the major component parts of the vehicle.
- (3) Rebuild a wrecked or dismantled vehicle.
- (4) Possess more than two (2) inoperable vehicles subject to registration for more than thirty (30) days.
- (5) Engage in the business of storing, disposing, salvaging, or recycling of vehicles, vehicle hulks, or the parts of vehicles.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-2**

##### **Application for license; filing; fee**

Sec. 2. To apply for a license under this chapter, a disposal facility, a used parts dealer, or an automotive salvage rebuilder must do the following:

- (1) File a completed application, which must be verified by the bureau.
- (2) Submit with the application the licensing fee under IC 9-29-7 to the bureau.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-3**

##### **Application form**

Sec. 3. The bureau shall prescribe an application form to be used by persons applying for a license under this chapter. The application must include the following information:

- (1) The applicant's name.
- (2) The applicant's type of business organization and the following as appropriate:
  - (A) If the applicant is a corporation, the name and address of each officer and director of the corporation.
  - (B) If the applicant is a sole proprietorship, the name and address of the sole proprietor.
  - (C) If the applicant is a partnership, the name and address of each partner.
  - (D) If the applicant is an unincorporated association or similar form of business organization, the name and address of each member, trustee, or manager.
- (3) The applicant's principal place of business.
- (4) All places other than the applicant's principal place of business at which the applicant proposes to conduct any of the activities set out in section 1 of this chapter.

(5) The types of activities set out in section 1 of this chapter that the applicant proposes to conduct.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-4**

##### **Duration of license; renewal**

Sec. 4. Each license, except an initial license, shall be issued for a twelve (12) month period beginning March 1 and expiring the last day of February of each year. An initial license may be issued for a period of less than twelve (12) months, but the license must expire on the last day of February immediately following the date the license is issued.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-5**

##### **Review and approval of applications**

Sec. 5. Within a reasonable time the bureau shall do the following:

- (1) Review all applications submitted under this chapter.
- (2) Approve all applications submitted unless any of the following apply:
  - (A) The application does not conform with this chapter.
  - (B) The applicant has made a material misrepresentation on the application.
  - (C) The applicant has been guilty of a fraudulent act in connection with one (1) of the activities specified in section 1 of this chapter.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-6**

##### **Denial of license; right to hearing**

Sec. 6. A person denied a license under section 5 of this chapter is entitled to a hearing under IC 4-21.5-3.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-7**

##### **Approval of application; grant of original and supplemental licenses**

Sec. 7. If the bureau approves an application under this chapter, the bureau shall grant the applicant the following:

- (1) An original license for the applicant's principal place of business.
- (2) A supplemental license for each other place of business listed on the application.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-8**

##### **Licenses; form and information**

Sec. 8. The bureau shall prescribe the form of the licenses granted under section 7 of this chapter. A license granted under section 7 of

this chapter must include the following information:

- (1) The licensee's name.
- (2) The licensee's type of business organization and the following as appropriate:
  - (A) If a corporation, the name and address of each officer.
  - (B) If a sole proprietorship, the name and address of the proprietor.
  - (C) If a partnership, the name and address of each managing partner.
  - (D) If an unincorporated association or similar form of business organization, the name and address of the manager or other chief administrative official.
- (3) The licensee's principal place of business.
- (4) The place of business to which each supplemental license applies.
- (5) A listing of the types of business activities specified in section 1 of this chapter that the licensee may conduct.
- (6) The date the license expires.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-9**

##### **Posting licenses**

Sec. 9. The licensee shall post each license granted under this chapter in a conspicuous place at each place of business.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-10**

##### **Revocation or suspension of licenses**

Sec. 10. The bureau may revoke or suspend the license of a disposal facility, used parts dealer, or automotive salvage rebuilder after providing a fifteen (15) day written notice and conducting a hearing under IC 4-21.5-3 if the bureau determines that any of the following conditions exists:

- (1) The licensee made a material misrepresentation on the license application.
- (2) The licensee committed a fraudulent act in connection with one (1) of the activities specified in section 1 of this chapter.
- (3) The licensee committed a material violation of the recordkeeping requirements of IC 9-22-3-19.
- (4) The licensee has violated any other provision of this chapter or the rules adopted under this chapter by the bureau.
- (5) The licensee has committed a violation of a statute concerning theft, arson, mischief, forgery, deception, or fraud, or the motor vehicle titling laws.
- (6) The licensee has had a license issued under IC 9-23 revoked or suspended.

*As added by P.L.2-1991, SEC.10.*

#### **IC 9-22-4-11**

##### **Local zoning body complaints; delaying issuance or renewal of**

**license**

Sec. 11. If the bureau receives a written complaint from a local zoning body that a disposal facility or automotive salvage rebuilder subject to this chapter is operating in violation of a local zoning ordinance, the bureau shall delay the issuance or renewal of the facility's or rebuilder's license until the local zoning complaints have been satisfied.

*As added by P.L.2-1991, SEC.10.*

**IC 9-22-4-12****Rules**

Sec. 12. The bureau may adopt rules under IC 4-22-2 to carry out this chapter.

*As added by P.L.2-1991, SEC.10.*

**IC 9-22-4-13****Unlicensed vehicle salvaging; classification of violation**

Sec. 13. A person who violates section 1 of this chapter commits a Class C infraction.

*As added by P.L.2-1991, SEC.10.*